

ORDINANCE NO.

AN ORDINANCE WAIVING OR REIMBURSING FEES IN AN AMOUNT NOT TO EXCEED \$14,021,548.45 AND CERTAIN REQUIREMENTS RELATED TO THE CONSTRUCTION BY CAPITAL METROPOLITAN TRANSIT AUTHORITY OF A DOWNTOWN TRAIN STATION, GENERALLY LOCATED ON 4TH STREET FROM TRINITY STREET TO I-35.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. On May 14, 2017, Council approved the execution of an Interlocal Agreement (ILA) with Capital Metropolitan Transit Authority for the construction of a permanent downtown train station.

PART 2. Council approves the waiver or reimbursement of fees that are associated with the development, construction, completion, and operation of the project described in the ILA, in a combined total amount of such waived fees not to exceed \$14,021,548.45: any and all encroachment, easement, or license fees, site development fees, right-of-way fees, construction inspection fees, and environmental inspection fees, including, but not limited to:

- PARD Mitigation Fee
- Environmental Inspection/Deposit
- Tree Plan Review – Heritage Tree Review/Arborist Site Plan Review Fee
- Basic Notification
- Consolidated Site Plan
- Site and Subdivision Inspection
- Commercial Building Plan Review
- Commercial Building Permits
- Building Fee
- Electric Fee
- Mechanical Fee
- Plumbing Fee
- Energy Fee
- Development Services Surcharge
- Landscape Inspection Fee
- Site-Variance/Waiver-Admin Drainage
- UDS Engineering Plan Review Fee

PART 3. Council waives City Code Sections 14-11-51(A), and (E), which require payment of an application fee and the appraised value of the encroachment agreements,

1 along with City Code Sections 14-11-53(1), (3), (4), and (6) requiring the inclusion of
2 certain provisions in the encroachment agreement, and City Code Section 14-11-53(C),
3 requiring payment of the cost of notice to interested contacts.

4 **PART 4.** Council waives City Code Sections 14-11-105(A)(2) and (B)(1), which
5 requires payment of an application fee and use of right-of-way fee, 14-11-135, which
6 requires the payment of a fee for the temporary use of right-of-way, and 14-11-173(D),
7 which requires the payment of a fee for a permit for excavation and facility installation in
8 the right-of-way.

9 **PART 5.** Council waives City Code Section 25-6-234, which requires payment of a
10 license fee for a right-of-way construction license.

11 **PART 6.** This ordinance takes effect on _____, 2018.

12 **PASSED AND APPROVED**

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16 _____, 2018 §
17 §
18 § _____

Steve Adler
Mayor

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21 **APPROVED:** _____
22 Anne L. Morgan
23 City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk